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ABSTRACT

A study tested a theoretical model using data from court-ordered sessions about the utility of divorce mediation. Subjects, 974 couples who had filed for divorce with potential child-custody disputes, were informed about the process of mediation as a means to settle their custody disputes rather than relying on the court system to resolve their custody and visitation conflicts. Counselors described the mediation process, answered questions, and showed a videotape entitled "Don't Forget the Children." Five measures were created to test the theoretical model: caring about/focusing on children's relational, school, home problems (concern for children); communication skills; feelings about self; stress; and expectations about mediation. Results indicated that concern for children and expectations about mediation impacted on a successful outcome. Major predictors of stress were feelings about self (self esteem) and communication skills. Findings suggest affirmation for the importance of communication as an element contributing to the success of mediation. The prospects for communication scholars to play a meaningful role in improving family communication during the process of divorce are challenging. (Contains 28 references, 1 figure, and 3 tables of data.) (RS)

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ED 370 151

Evaluating the Stressors of Divorce: Theoretical and Pragmatic Concerns

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Evaluating the Stressors of Divorce:
Theoretical and Pragmatic Concerns

ABSTRACT

This investigation develops and tests a theoretical model using data from a field study evaluating court-ordered sessions about the utility of divorce mediation. Nine hundred and seventy-four couples who had filed for divorce with potential child-custody disputes were informed about the process of mediation as a means to settle their custody disputes rather than relying on the court system to resolve their custody and visitation conflicts. Results indicate that concern for children and expectations about mediation impact on a successful outcome. Major predictors of stress are feelings about self (self esteem) and communication skills. The data were not inconsistent with the hypothesized model.

INTRODUCTION

Divorce is an acceptable recourse to marital dissatisfaction for almost fifty percent of American society (Peck, 1989). Unfortunately, few spouses are prepared for the physical and emotional effects of divorce. Moreover, divorce affects family members at each generational level (e.g., both nuclear and extended family) creating a crisis for the family as a whole and as individuals within the family system (Peck, 1989).

According to Hetherington (1982), family systems need one to three years to engage in the divorce process, restabilize, and continue on in their "normal" developmental process. If a family can negotiate the crisis and the accompanying transitions that must be experienced in order to restabilize, the family will have created a more fluid/adaptive system that will resume the "normal" family developmental process. (Peck, 1989).

Because of the prevalence of divorce, we need a model for divorce that conceives of divorce as a normative family transition in which the family system is in crisis. In other words, divorce is conceptualized as a series of stages that members experience that offer growth potential as family members develop new capacities to adapt (Ahrons, 1980a). In brief, five stages have been identified: (a) individual cognition (at least one spouse is considering divorce and is emotionally disengaging); (b) family metacognition (spouses openly reveal their divorce, a preseparation); (c) system separation (the actual separation takes place); (d) system reorganization (the process of clarifying new boundaries, rules, roles); and (e) system redefinition (the family has a new self-definition) (Ahrons, 1980, 1980a, 1981, 1986).

While divorce may be perceived as a solution to parents' marital problems, very few children advocate divorce, regardless of the level/severity of family tension (Wallerstein & Kelly, 1980). Obviously,

children's reactions vary according to temperament, age, sex, past experiences, position in the family, support systems, and cognitive/social competence (Peck, 1989). Divorce, for numerous children, translates into relational changes and access to extended-family members (grandparents, aunts, uncles, cousins). In short, bitter divorces become loyalty conflicts that are transmitted across generational lines (Peck, 1989).

Research on children's adjustment indicates a strong relationship between poor adjustment in children and parental conflict, regardless of marital status (Hess & Camera, 1979; Raschke & Raschke, 1979). Furthermore, research indicates that the postdivorce relationship between parents is the most critical factor in the functioning of the family (Emery, 1982; Hetherington, 1977). In other words, the level of conflict between parents is perhaps more central to the child's postdivorce adjustment than parental absence or the divorce itself (Emery, 1982).

A central issue in divorce is custody. Many divorcing spouses become embattled in their war for primary care-taker (Donohue, 1991). To empower parents in their custody disputes and lessen the burden of the family court system, divorce mediation has grown in popularity and utility (Folberg & Milne, 1988; Kressel, Pruitt, & Associates, 1989). The purpose of the following investigation is to develop and test a causal model of divorce mediation stressors. Data were collected over a two year period involving informational sessions about divorce mediation. Couples who had filed for divorce were court-ordered to attend these sessions inorder to consider the potential/utility of mediation to aid in the resolution of their custody disputes. The following discussion describes the model, components and the causal relationships.

THEORETICAL MODEL

The interactive influences on dispute resolution suggest a causal

model of the mediation process. Mediation is an interactive process where mediators and disputants have a joint influence on each other in their active exchange of discourse to accomplish various goals. Disputants' goals center on resolving the conflict in a manner favorable to their own interests in mediation. The mediator's goal, however, is to generate a mutually acceptable agreement. In Milwaukee County, since 1989, 974 divorcing couples have learned about mediation as a method to resolve child custody disputes. Approximately sixty percent of this group chose mediation rather than depending upon the court to resolve their custody disputes. The following theoretical model centers on the process that distressed spouses experience in gathering information about mediation, evaluating the appropriateness of mediation to their respective custody disputes, attending their mediation session, and resolving or not resolving their cases.

This model consists of seven components: (a) concern for children; (b) communication skills; (c) type of mediation; (d) feelings about self; (e) stress; (f) expectations about mediation; and (h) success. Five of these variables are psychological or based on self perceptions (concern for children, communication skills, feelings about self, stress, expectations) and two of the variables are situational (type of mediation and success). This model was developed to better understand what influences would impact on distressed spouses prior to their decision to mediate and during the actual process. What follows is the conceptualization of the model's seven components.

Since divorce has a profound effect on families both psychologically and financially, a critical component to the model is <u>concern for the children</u>. During the process of divorce, feuding spouses care about their children (Pearson, 1991). Two important issues center on which spouse is

the "best" caretaker (skill/experience invested in parenting versus desire to parent) and who can provide the most resources (income versus emotional support) (Donohue, Allen, & Burrell, 1990; Folberg & Milne, 1988). In many divorces, the children become : (a) weapons that distressed spouses use to hurt the other or (b) bargaining chips to trade away for material possessions (e.g., the house, cottage, boat) (Donohue, 1991). Parents' concern for their children should motivate them to consider mediation.

The component, communication skills, reflects the degree to which parents perceive themselves as competent communicators, problem solvers, decision makers, and parents. Researchers suggest that the process of divorce disrupts or breaks down family communication, short circuiting decision making and influencing parental roles (Donohue, 1991; Peck, 1989; Wallerstein & Kelly, 1980). Parents' perceived communication skills should influence their expectations about the mediation process (e.g., mediation will be either a positive or negative experience based on my communicative skills), in addition to experiencing stress (e.g., I am uncertain about the outcome, my family's future, etc).

Type of mediation can be either post or pending. This situational variable categorizes couples into: (a) those who have been through the court system, are legally divorced, and want to renegotiate the custody arrangement (post), or (b) those who have not been through the court system, are legally married, and have not reached a decision regarding their children (pending). Researchers have suggested that going through the court system can be extremely costly both financially and emotionally for highly conflictual divorces (Pearson, 1991). In fact, mediation users experience higher levels of satisfaction and greater cost savings. Furthermore, lengthier and more costly mediations (those that have multiple sessions) that are sensitive to relational factors may produce

better financial support for women and children over time (Pearson, 1991). Those persons with pending decisions (spouses have not been through formal litigation proceedings) experience greater uncertainty and should feel more stress than parents negotiating post judgment modifications (e.g., changes in visitation schedules).

The process of divorce is frequently characterized as "the death of a relationship." Consequently, distressed spouses are evaluating their feelings about self. Women in "traditional" marriages suffer a profound loss because: (a) society has conditioned women to believe that they cannot be a whole person without a man; (b) they feel more responsible for the marital relationship and, therefore, have a greater tendency to see divorce as a sign of personal failure; and (c) they tend to identify more strongly with the role of wife than males do in the role of husband (Neumann, 1992). According to Barnett and his colleagues (1989), the divorce crisis precipitates a perceived loss of identity. Every divorcing individual seeks to redefine or is forced to redefine herself/himself. In short, the question each spouse must ask is "who am I?" (Barnett, Biener, & Baruch, 1989). Unfortunately, coming to terms with a failed marriage and fearing the loss of one's children through a custody battle, parents' self esteem/worth is a critical variable and is related to the amount of stress experienced.

The component, stress, is conceptualized as a factor causing mental or emotional strain or tension. Recent studies indicate that the marital role is central to the mental and physical health of men (Barnett & Grace, 1987). Research indicates that married men experience less stress than unmarried men (Neumann, 1992). In short, the loss of one's marital role is more devastating for men than for women (Barnett, et al., 1989). Researchers have focused on the tensions distressed spouses experience

when their marriages have failed, when their family lives are in turmoil, their decision making has broken down, and self concepts have reached an all time low. The model predicts that concern for children, perceived communication skills, type of mediation, and feelings about self contribute to the stress parents are experiencing.

The sixth component, expectation about mediation, is defined as a mental attitude reflecting the probability or the likelihood of an occurrence. Regardless of the source, expectations can affect parents' interpretative framework, judgments about other people, situations, and various situational outcomes (Burrell, 1987; Burrell, Donohue, & Allen, 1990). In short, a parent's expectations about his or her opponent are crucial to interim choices, cognitions, and ultimate decisions.

Commonly held perceptions are that men and women differ in how they handle conflict (e.g., women avoid conflict; whereas men confront conflict) and that men approach conflict differently from women (e.g., men are competitive; whereas women are cooperative (Burrell, Buzzanell, & McMillan, 1992). Northrup (1991) found that women believe that men have greater credibility and will more likely prevail in the conflict. Furthermore, questions of vulnerability, ability to influence, and imbalances in power impact on many women's expectancies about the mediation process (Stamato, 1992). The model predicts that expectations about mediation will impact on the success or lack thereof of the mediation session.

The final component, success, is conceptualized as a positive outcome to mediation. That is, those couples who anticipate mediation as means to help them resolve their custody dispute should have a positive outcome.

To summarize, there are two outcome variables, stress and success. Divorcing spouses who are gathering information about the potential

utility of mediation are concerned about their children and are experiencing stress. These parents recognize the importance of communication, decision making, and parenting skills and report that divorce is stressful based not only on their concern for children, but also contributing to their stress are their self doubts regarding their communication skills, experience with the court system (post or pending) and feelings about themselves/self-esteem. In addition, concern for children and communication skills contribute to the positive or negative expectations parents have about being able to successfully resolve their custody dispute. Disputatious parents are assigned to two types of mediation: post or pending based on the legal status of their divorce. During the divorce process, parents are examining themselves and evaluating their self worth/esteem. This process of introspection creates stress.

METHOD

The purpose of this study was to examine data collected from a field study evaluating court-ordered informational sessions about the utility of divorce mediation. Wisconsin State Statute 767.11 mandates that couples filing for divorce with custody or visitation issues attend evaluative sessions to learn about mediation as a means for resolving disputes and to assess the appropriateness of the process for their individual cases. The theoretical models tests the impact of concern for children and communicator skills on expectations about mediation and the session's outcome (success or lack of). In addition, the model tests the impact of concern for children, communicator skills, type of mediation and feelings about self on stress.

Participants

Since August of 1989, Approximately 1,948 individuals (974 couples)

attended informational sessions and completed surveys assessing their ability to handle stress, communication skills, concerns about children, self-esteem, and whether the session was informative about mediation.

Procedure

The Director of the Department of Family Court Counseling Service or an Administrative Assistant/Counselor described the mediation process, answered questions, and showed a video tape, "Don't Forget the Children," produced by the Young Lawyers Association of Dallas.

The thesis of the video was to encourage parents to think about their children rather than to focus on getting back at their respective spouses. A series of arguments (on the video) were presented by Judges of Family Courts, psychologists, veteran divorce lawyers, parents and children of divorce. Persuasively and repeatedly, people discussed the effectiveness of mediation rather than relying on the court system to resolve custody-disputes. Parents were encouraged to carefully consider the utility of mediation and to put their children's welfare before themselves. After the video, participants were debriefed and given the opportunity to ask additional questions from the Program Director or Counselor. Surveys were distributed and completed at the close of the meeting.

Rather than to discard survey data, it should be noted that not everyone completed all survey questions. As noted on Tables 1, 2, and 3 the N varies for each correlation. The overall average N (445) was computed from a correlation matrix by averaging only the couples that completed or partially completed their surveys. The criterion was simply that both husband and wife in the marital dyad had identifiable surveys. The number of male surveys (N = 607) and females (N = 620) were computed from an average of the overall correlation matrices.

RESULTS

Dependent Measures

To test the theoretical model, five measures were created (concern for children, communication skills, feelings about self, stress, and expectations about mediation. The items for each of the five variables were developed using the conceptual definitions presented earlier. In addition, two variables, type of mediation (post or pending) and success (agreement reached) were created by using records from the Family Court Counseling Service.

Three items were used to measure concern for children (caring about/focusing on children's relational, school, home problems). For example, participants were asked the degree of closeness in their relationships with their children; or to what degree were they concerned that the divorce might effect their children. The alpha coefficient was .54 for concern, indicating a moderately reliable scale. The problem with this scale was a lack of variance in responses. The researchers speculate that regardless of what parents were feeling, it would be socially inappropriate to report no or little concern for their children. Communication skill (perceived ability to communicate effectively, competently, credibly) was measured using 3 items (e.g., the degree that I am able to use my problem solving, communication, and parenting skills is ...). The alpha coefficient was .89 indicating a highly reliable scale. Two items were used in the feelings about self scale (perceived self worth, self esteem). For example, participants were asked to what degree are you feeling positive or good about yourself. The alpha coefficient was .74 indicating a reliable measure. Finally, six items were used to measure stress (perceived tension). Examples of stress items were: to what extent do you feel that people are making too many demands on you or

to what degree, during the past few weeks, have you felt nervous or tense. This scale was considered reliable (stress = .73) based on the alpha coefficient. Finally, one item was used to measure expectations about mediation (e.g., to what degree do you anticipate that mediation will work). Consequently, scale reliability could not be computed.

Test of the Theoretical Model

Correlations among the seven variables (concern for children, communication skills, type of mediation, feelings about self, stress, expectations about mediation, and success) were computed and then corrected for attenuation. To test the theoretical model, path analyses were conducted using the corrected correlations to assess the degree of fit between the theoretical model and the actual data (Gerbing, 1979; Hunter & Gerbing, 1982; Hunter & Lopis, 1979; Schmitt & Bedeian, 1982). This model was tested from the marital dyad's perspective (Overall), in addition to male and females' perspectives anticipating gender differences as indicated by Figure One. What follows is a brief interpretation of the results and implications of these findings.

FIGURE ONE ABOUT HERE

Overall Model

The least squares technique found in PACKAGE (Hunter & Cohen, 1969) creates a reproduced correlation matrix that takes into account the constrained correlations. Both the actual correlation matrix (corrected for attenuation) and the reproduced correlation matrix are found in Table 1.

TABLE ONE ABOUT HERE

A comparison of the actual correlation matrix with the reproduced matrix shows nonsignificant differences between them ($X^2 = 5.31$, $N = 445$, $df = 7$, $p > .05$). The nonsignificant chi-square value indicates a

deviation between the actual and ideal correlation matrices. In short, the data conform to the predicted theoretical model. All of the path coefficients were significant ($p < .05$) and in the predicted direction (see Theoretical Model for coefficients). What is interesting is how equally concern for children and communication skills influence expectations about mediation. In contrast, feelings about self have a far greater impact on stress than concern for children, communication skills or type of mediation.

To summarize, these results demonstrate that the observed correlations are consistent with the proposed theoretical model. The results, overall, indicate that the data fit the model

Male Model

A comparison of the actual correlation matrix (corrected for attenuation) and the reproduced correlation matrix show nonsignificant differences between the two matrices ($X^2 = 3.12$, $N = 607$, $df = 7$, $p > .05$) which replicates earlier results from the overall model. The correlation matrices are found in Table 2.

TABLE TWO ABOUT HERE

Also, similar to the overall (marital dyad) model, the path coefficients were significant ($p < .05$) and in the predicted direction with the exception of the path between type of mediation and stress (-.01). The path coefficients are found in Figure 1.

Female Mode

Nonsignificant differences were also found when comparing the actual and reproduced correlation matrices ($X^2 = 7.47$, $N = 620$, $df = 7$, $p > .05$) which also replicates earlier results from the overall and male models. Similarly, the path coefficients were significant ($p < .05$) and in the predicted direction with the exception of the path between

communication skills and stress (.03). The correlation matrices are found in Table 3.

TABLE THREE ABOUT HERE

To summarize, in all three tests of the theoretical model results were similar. There were minimal gender differences as indicated in Figure One. What is surprising is the importance of the variable, feelings about self, and stress. The following discussion will reflect on these research findings and make suggestions for future research.

DISCUSSION

The purpose of this investigation was to develop and test a theoretical model from a field study involving divorcing couples with potential custody/visitation disputes. The data were consistent with the theoretical model. Four variables (concern for children, communication skills, type of mediation, and feelings about self) contribute to the prediction of stress. In addition, two variables (concern for children and communication skills) contributed to the expectations about the mediation process which in turn predicted the eventual success (or lack of success) of the mediation.

One important finding from this analysis is the relationship between feelings about self (esteem) and concern for children. The path coefficient, feelings about self, (.48) is five times more important than concern for children (.06) in predicting the level of stress parents are experiencing. This comparison suggests that parents are focused more on themselves than their children. According to this model, stress is self induced based on a parent's low self esteem rather than concern for the children. Pragmatically, mediators should get parents focused on their

children's needs rather than themselves.

In addition, the results point to the need for a mediator to consider the communicative skills (ability to problem solve, negotiate) of the parents. Mediation is a process based on communication of three parties (disputants and mediator). Researcher have suggested the importance of communicatively competent mediators who structure, reframe, and promote equitable proposal making and agreements (Donohue, 1991; Donohue, Allen, & Burrell, 1990). The current investigation points to the importance of parents' communication skills in predicting the eventual success of the mediation. This investigation establishes the importance of the mediator as a communication skill builder for encouraging a successful outcome.

Results indicate that increased concern for children raises expectations about mediation which in turn impacts on the success or positive outcome of the session. This finding illustrates a potential content focus for mediators to use in their discussions with parents. The mediator acts an the children's advocate seeking a solution most advantageous to them. This investigation points out the need for the mediator to shift parental self-focus to a children-oriented focus. To summarize, these results are encouraging based on their theoretical and practical implications.

In one earlier test of a variation of this model, a consideration that stress was a predictor of the mediation's outcome/success, received no statistical support. This is not surprising since the divorce itself is so personally stressful that mediation can only help participants manage stress rather than reduce the stress. One stress management tactic is to shift the parents' self concerns to considering their children's best interests. In short, mediators should not be concerned with stress

reduction unless it is related to specific issues in the mediation. For example, if parents are feeling stress about court appearances, the mediator can discuss the process with them.

No investigation is without its limitations. A major concern was to keep the surveys short and easy to complete. The Mediation Program Director did not want spouses to fill out lengthy or detailed questionnaires. Consequently, the scales have few items and limited choices. These measurement restrictions tend to attenuate existing relationships. The effect of this attenuation is to underestimate existing relationships. Therefore, the findings reported here are underestimates of the true relationships.

An advantage of this study is the use of actual participants in a field setting. This investigation uses actual divorcing parents who are mandated by the court system to consider the utility of mediation in resolving potential custody/visitation disputes. This sample also uses virtually 100% of the available couples within one jurisdiction. In short, this reduces the possibility for some type of selection bias to occur.

In conclusion, this study continues to affirm the importance of communication as an element contributing to the success of mediation. In divorce the family system undergoes a reorganization. Spouses separate but still retain a joint role as parents. This model points to the need of mediators to shift parental self concern to considering the impact of the divorce on their children. In essence, the mediator is reframing individual needs to system level needs. Communication becomes the mechanism for achieving these changes. Future research should consider the specific communicative strategies that accomplishes this system

reframing. The prospects for communication scholars to play a meaningful role in improving family communication during the process of divorce are challenging.

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Table 1
Correlations Between Overall (Marital Dyads) Scales

	Feelings	Skills	Concerns	Type	Stress	Expect.	Success
Feel	—	.06	.19	-.26	.52	.05	.01
Skill	.06 (515)	—	.27	-.00	.17	.27	.06
Conc	.19 (366)	.27 (316)	—	-.01	.19	.26	.06
Type	-.26 (519)	.00 (437)	-.01 (318)	—	-.18	-.00	-.00
Str	.52 (608)	.17 (502)	.19 (357)	-.18 (507)	—	.08	.02
Exp	.08 (485)	.27 (443)	.26 (300)	-.01 (410)	.08 (474)	—	.22
Suc	.10 (480)	.07 (403)	.01 (293)	-.07 (764)	.02 (469)	.22 (379)	—

Note: The reproduced correlations are above the diagonal while the actual correlations are below the diagonal. Sample size is reported in the parentheses.

Table 2
Correlations Between Male Scales

	Feelings	Skills	Concerns	Type	Stress	Expect.	Success
Feel	—	.10	.16	-.24	.52	.05	.01
Skill	.10 (710)	—	.12	-.04	.26	.25	.04
Conc	.16 (543)	.12 (498)	—	-.01	.16	.23	.04
Type	-.24 (671)	-.04 (609)	-.01 (458)	—	-.12	-.01	-.00
Str	.52 (776)	.26 (696)	.16 (529)	-.12 (658)	—	.09	.02
Exp	.03 (701)	.25 (664)	.23 (494)	-.03 (595)	.08 (688)	—	.17
Suc	.05 (617)	.03 (564)	.04 (424)	-.07 (698)	.01 (606)	.17 (546)	—

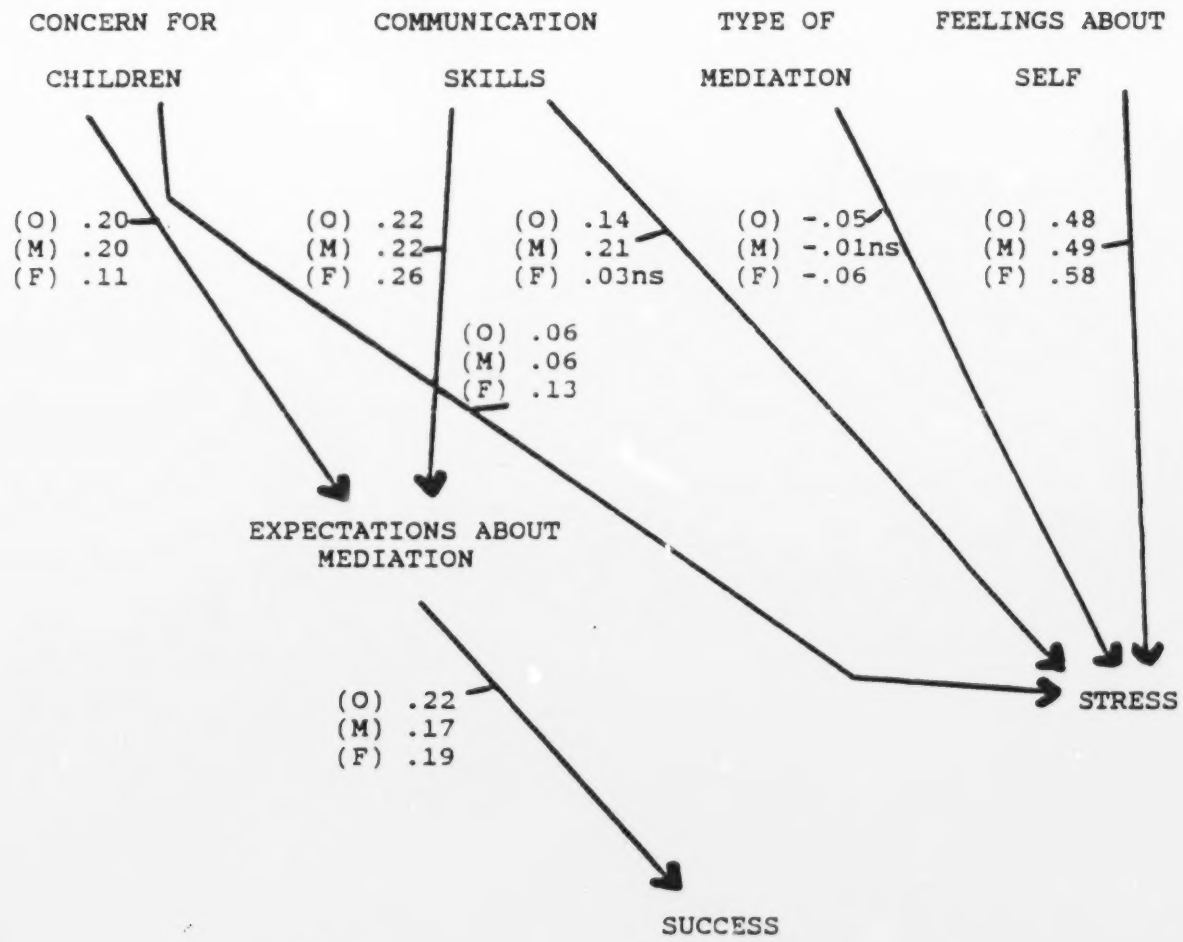
Note: The reproduced correlations are above the diagonal while the actual correlations are below the diagonal. Sample size is reported in the parentheses.

Table 3
Correlations Between Female Scales

	Feelings	Skills	Concerns	Type	Stress	Expect.	Success
Feel	—	.12	.24	-.13	.63	.06	.01
Skill	.12 (715)	—	.10	-.02	.11	.27	.05
Conc	.24 (595)	.10 (537)	—	-.03	.27	.14	.03
Type	-.13 (676)	-.02 (608)	-.03 (515)	—	-.14	-.00	-.00
Str	.63 (789)	.11 (708)	.27 (589)	-.14 (673)	—	.06	.01
Exp	.12 (676)	.27 (641)	.14 (514)	-.05 (574)	.11 (669	—	.01
Suc	.05 (629)	.06 (561)	.04 (481)	-.07 (701)	.04 (624)	.19 (536)	—

Note: The reproduced correlations are above the diagonal while the actual correlations are below the diagonal. Sample size is reported in the parentheses.

FIGURE I
Theoretical Model
of Divorce Stressors



Note: Coefficients are based on the Qverall population; Males and Females completing surveys. Variables were derived from questionnaires that individuals (N = 1948) completed after attending an informational session about mediation, in addition to records kept by FCCS indicating type of mediation and outcome of respective sessions.